

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated August 23, 2005 has been received and its contents carefully reviewed.

Claims 1, 2, 11 and 12 are hereby amended. Accordingly, claims 1-12 are currently pending. No new matter is added. Reexamination and reconsideration of the pending claims is respectfully requested.

In the Office Action, claims 2-6 and 10-12 are objected to because of claim informalities. Claims 1, 5, 7, 8 and 10 are rejected under 35 U.S.C. §102(b) as being anticipated by E.P. Publication No. 0 471 628 to Nagae et al. (hereinafter "Nagae"). Claims 1, 5-8 and 10 are rejected under 35 U.S.C. §102(a) and 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2003/0084796 to Kwon et al. (hereinafter "Kwon"). Claims 2-4 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nagae in view of U.S. Patent No. 5,662,041 to Kleist (hereinafter "Kleist"). Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over Nagae in view of U.S. Publication No. 2002/0109799 to Choi et al. (hereinafter "Choi"). Claims 2-4, 11 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kwon in view of Kleist.

Also in the Office Action, claims 1-8 and 10-12 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of copending U.S. Application No. 10/674,508. Claim 9 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of copending U.S. Application No. 10/674,508 in view of Choi.

The objection of claims 2-6 and 10 is respectfully traversed and reconsideration is requested. The Examiner suggests on page 2 of the Office Action that certain article changes be made in claims 2, 5, 6 and 10 since the same structures were recited in independent claim 1. However, the present articles recited do not render the claims informal. It is clear that the

preambles in present claims 2, 5, 6 and 10 refer to steps recited in independent claim 1. Claims 2, 5, 6 and 10 recite additional limitations regarding the steps. Accordingly, Applicant respectfully requests withdrawal of the objection to claims 2-6 and 10.

The objection of claim 11 is respectfully traversed and reconsideration is requested. The Examiner states on page 3 of the Office Action that it "is not clear whether applicant is intending to recite the buffer layer on the cliché or the etching object layer of the substrate." However, claim 1 recites "forming a buffer layer on a substrate." Thus, the "buffer layer" is formed on "a substrate." Therefore, the claim is not informal and is not unclear. Accordingly, Applicant respectfully requests withdrawal of the objection.

The Examiner objects to claim 12 as claim 12 does not provide an appropriate recitation of which structure is formed with the first and second groove structures. Applicant herein amends claim 12 as suggested by the Examiner. Accordingly, Applicant respectfully requests withdrawal of this objection.

The rejection of claims 1, 5, 7, 8 and 10 as being anticipated by Nagae is respectfully traversed and reconsideration is requested.

Claim 1 is allowable over Nagae in that claim 1 recites a combination of elements including, for example, "providing a cliché having at least a first groove structure having a first width and a second groove structure having a second width divided into multiples of the first width and an interval therebetween." Nagae does not teach at least this feature of the claimed invention. The Examiner states on pages 4-5 of the Office Action that "the grooves are different widths and the larger sized groove can broadly be considered to be a multiple of the width one of the smaller grooves plus some interval." However, Nagae is silent with respect to the widths of the grooves. There is no teaching or suggestion in Nagae that "a second groove structure has a second width divided into multiples of the first width and an interval therebetween." Figure 1 of Nagae may show grooves having different widths, however, there is no teaching or suggestion in Nagae of the relationship between the widths. Accordingly, because Nagae fails to teach this feature of claim 1, Applicant respectfully submits that claim 1 and claims 5, 7, 8 and 10, which depend therefrom, are allowable over Nagae.

The rejection of claims 1, 5-8 and 10 as being anticipated by Kwon is respectfully traversed and reconsideration is requested.

Claim 1 is allowable over Kwon in that claim 1 recites a combination of elements including, for example, "providing a cliché having at least a first groove structure having a first width and a second groove structure having a second width divided into multiples of the first width and an interval therebetween." Kwon does not teach at least this feature of the claimed invention. The Examiner states on page 6 of the Office Action that "the grooves 104 are different widths and the larger sized groove can broadly be considered to be a multiple of the width one of the smaller grooves plus some interval." However, Kwon is silent with respect to the widths of the grooves. There is no teaching or suggestion in Kwon that "a second groove structure has a second width divided into multiples of the first width and an interval therebetween." Figures 3 and 5 of Kwon may show grooves having different widths, however, there is no teaching or suggestion in Kwon of the relationship between the widths. Accordingly, because Kwon fails to teach this feature of claim 1, Applicant respectfully submits that claim 1 and claims 5-8 and 10, which depend therefrom, are allowable over Kwon.

The rejection of claims 2-4 and 11 as being unpatentable over Nagae in view of Kleist is respectfully traversed and reconsideration is requested.

With respect to claims 2-4, Applicant respectfully submits that Kleist fails to cure the aforementioned defects associated with Nagae. None of the cited references, singly or in combination, teaches or suggests "providing a cliché having at least a first groove structure having a first width and a second groove structure having a second width divided into multiples of the first width and an interval therebetween," as recited in independent claim 1. For at least this reason, claims 2-4, which depend from claim 1, are allowable over the cited references.

Furthermore, claim 11 is allowable over Nagae in view of Kleist in that claim 11 recites a combination of elements including, for example, "providing a cliché having at least first and second groove structures by patterning the buffer layer, the first groove structure having a first width and the second groove structure having a second width divided into multiples of the first width and an interval therebetween." None of the cited references, singly or in combination,

teaches or suggests at least this feature of the claimed invention. In contrast, Nagae is silent with respect to the widths of the grooves. There is no teaching or suggestion in Nagae of “a second groove structure having a second width divided into multiples of the first width and an interval therebetween.” Figure 1 of Nagae may show grooves having different widths, however, there is no teaching or suggestion in Nagae of the relationship between the widths. Kleist does not cure the deficiencies of Nagae. Accordingly, Applicant respectfully submits that claim 11 is allowable over the cited references.

The rejection of claim 9 as being unpatentable over Nagae in view of Choi is respectfully traversed and reconsideration is requested.

Applicant respectfully submits that Choi fails to cure the aforementioned defects associated with Nagae. None of the cited references, singly or in combination, teaches or suggests “providing a cliché having at least a first groove structure having a first width and a second groove structure having a second width divided into multiples of the first width and an interval therebetween,” as recited in independent claim 1. For at least this reason, claim 9, which depends from claim 1, is allowable over the cited references.

The rejection of claims 2-4, 11 and 12 as being unpatentable over Kwon in view of Kleist is respectfully traversed and reconsideration is requested.

The present invention is assigned to LG.Philips LCD Co., Ltd., which assignment is recorded at reel 14739, frame 430. Kwon is also assigned to LG.Philips LCD Co., Ltd., which assignment is recorded at reel 13744, frame 983. Therefore, under 35 U.S.C. §103(c), Kwon cannot be applied as prior art under 35 U.S.C. §102(e), against claims 2-4, 11 and 12. Therefore, as Kleist by itself is insufficient to reject claims 2-4, 11 and 12, Applicant respectfully submit that claims 2-4, 11 and 12 are allowable over the cited references.

Further, the publication date of Kwon is May 8, 2003, which date is prior to the filing date of November 24, 2003 of the present application. Therefore, Applicant submits a Certified English Translation of Korean Patent Application No. 85636/2002 filed in Korea on December

27, 2002, which is the priority document of the present invention, to remove Kwon as a reference under 35 U.S.C. §102(a).

The rejection of claims 1-8 and 10-12 as being unpatentable over claims 1-17 of U.S. Application No. 10/674,508 under the judicially created doctrine of obviousness-type double patenting is respectfully traversed and reconsideration is requested.

Applicant respectfully submits that claims 1-8 and 10-12 of the present application differ from claims 1-17 of U.S. Application No. 10/674,508 in that claims 1-8 and 10 of the present application recite a method for forming a pattern of a liquid crystal device including “providing a cliché having at least a first groove structure having a first width and a second groove structure having a second width divided into multiples of the first width and an interval therebetween” (See independent claim 1). Claims 11 and 12 of the present application recite “first groove structure having a first width and a second groove structure having a second width divided into multiples of the first width and an interval therebetween.” Further, Figure 4 of the present application shows the second groove structure including multiples of the width of the first groove structure and an interval. In contrast, claims 1-17 of U.S. Application No. 10/674,508 merely recite “...a plurality of grooves, each of the grooves having different depths and widths” (see for example claim 1). Thus, claims 1-8 and 10-12 of the present application differ in scope over claims 1-17 of U.S. Application No. 10/674,508, and therefore do not “improperly extend the ‘right to exclude’” as asserted by the Examiner in the Office Action. Reconsideration and withdrawal of the rejection of independent claim 1 and its dependent claims 2-8 and 10, and independent claims 11 and 12, are respectfully requested.

The rejection of claim 9 as being unpatentable over claims 1-17 of U.S. Application No. 10/674,508 in view of Choi under the judicially created doctrine of obviousness-type double patenting is respectfully traversed and reconsideration is requested.

Applicant respectfully submits that claim 9 of the present application differ from claims 1-17 of U.S. Application No. 10/674,508 in that claim 9 of the present application recites a method for forming a pattern of a liquid crystal device including “providing a cliché having at least a first groove structure having a first width and a second groove structure having a second

width divided into multiples of the first width and an interval therebetween” (See independent claim 1). Claims 11 and 12 of the present application recite “first groove structure having a first width and a second groove structure having a second width divided into multiples of the first width and an interval therebetween.” Further, Figure 4 of the present application shows the second groove structure including multiples of the width of the first groove structure and an interval. In contrast, claims 1-17 of U.S. Application No. 10/674,508 merely recite “...a plurality of grooves, each of the grooves having different depths and widths” (see for example claim 1). Choi does not cure this deficiency of U.S. Application No. 10/674,508. Thus, claim 9 of the present application differs in scope over claims 1-17 of U.S. Application No. 10/674,508 in view of Choi, and therefore do not “improperly extend the ‘right to exclude’” as asserted by the Examiner in the Office Action. Reconsideration and withdrawal of the rejection of claim 9, which depends from claim 1, are respectfully requested.

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Amdt. dated November 22, 2005
Reply to Office Action dated August 23, 2005

Docket No.: 8734.262.00-US

Applicants herewith file a Revocation of Power of Attorney with New Power of Attorney and a Statement under 37 CFR 3.73(b) indicating that the undersigned is Attorney of Record.

Dated: November 22, 2005

Respectfully submitted,

By 

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